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| Notice of Allowability | Application No. | Applicant(s) | |
| | 09/781,639 | OUDERKIRK ET AL. | |
| | Examiner | Art Unit | |
| | Audrey Y. Chang | 2872 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to January 22, 2002 and December 9, 2004.
2. ☒ The allowed claim(s) is/are 9-17 renumbered as 1-9.
3. ☒ The drawings filed on 12 February 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date <u>12/16/2004</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date <u>12/18/20012/2/2002</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

REASONS FOR ALLOWANCE

Remark

- This Office Action is in response to applicant's appeal brief filed on January 22, 2002.
- Claims 9-17 remain pending in this application.
- The rejections based on US patents **6,025,897** and **5,828,488** under 35 USC 102(e) are **withdrawn** in response to applicant's arguments presented in the appeal brief.
- The rejections to claims with respect to cited Stolov (PN. 4,560,241) reference are withdrawn for the reasons stated below. Applicant's *arguments* concerning the cited Stolov (PN. 4,560,241) reference only teaches a reflective polarizer or a transflective polarizer but *fails* to teach *explicitly* that the polarizer reflects light of a first polarization and transmits light of a second polarization, the examiner agrees that the cited reference does not teach such property *explicitly*. Although a "reflective polarizer" or a "transflective polarizer" may be able to reflect light of one polarization and transmit light of a second polarization however such property is *not inherent*. The rejections of claims based on the cited Stolov under 35 USC 103 are therefore *withdrawn*.

Terminal Disclaimer

1. The terminal disclaimer filed on **April 30, 2003** disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US patents **6,124,971** and **6,262,842** has been reviewed and is accepted. The terminal disclaimer has been recorded.
2. The terminal disclaimer filed on **December 9, 2004** disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US patents **6,025,897** has been reviewed and is accepted. The terminal disclaimer has been recorded.

Reasons For Allowance

3. The following is an examiner's statement of reasons for allowance: in view of the arguments provided in the appeal brief and the prior art references of the record, none has disclosed a reflective display having a *light modulator*, a *rear dichroic polarizer* and *reflective polarizer* wherein the two polarizers are placed at *back* side of the modulator with the *rear dichroic polarizer* placed in between the modulator and the reflective polarizer. The modulator is capable of selectively altering the polarization state of the light passes through it and the reflective polarizer is capable of reflecting a first polarization state and transmitting a second polarization state. The rear dichroic polarizer will allow a *portion* of the *reflected* light from the reflective polarizer to enter the modulator (for illumination). This arrangement has the advantage of providing a reflective display with good contrast.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

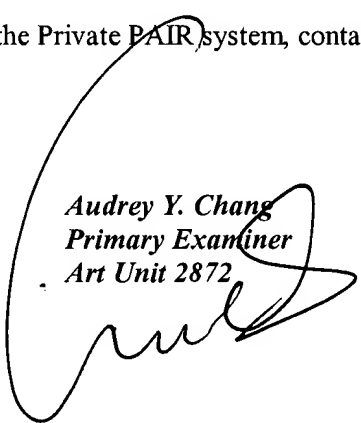
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Audrey Y. Chang whose telephone number is 571-272-2309. The examiner can normally be reached on Monday-Friday (8:00-4:30), alternative Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on 571-272-2312. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Audrey Y. Chang
Primary Examiner
Art Unit 2872



A. Chang, Ph.D.